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President:	Mr. Pleuger	(Germany)
Members:	Algeria	Mr. Benmehidi
	Angola	Mr. Cordeiro
	Benin	Mr. Adechi
	Brazil	Mr. Sardenberg
	Chile	Mr. Acuña
	China	Mr. Li Song
	France	Mrs. D'Achon
	Pakistan	Mr. Durrani
	Philippines	Mr. Gatan
	Romania	Ms. Matei
	Russian Federation	Mr. Smirnov
	Spain	Ms. Menéndez
	United Kingdom of Great Britain and Northern Ireland	Mr. Pisa
	United States of America	Mr. Cunningham

Agenda

Non-proliferation of weapons of mass destruction

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04-32009 (E)

The meeting resumed at 3.05 p.m.

The President: I should like to inform the Council that I have received a letter from the representative of Thailand in which he requests to be invited to participate in the discussion of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite that representative to participate in the discussion, without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, the representative of Thailand took the seat reserved for him at the side of the Council Chamber.

The President: I now call on the representative of Egypt.

Mr. Aboul Gheit (Egypt) (*spoke in Arabic*): The issue before the Council today is an issue of great importance and significance, not only because of its strong relation to the issues of international peace and security but also because of the needed wisdom and diligence to deal with it, the analytical approach that the Security Council takes within the context of its work, and its relation to international conventions.

The proliferation of weapons of mass destruction (WMD) in all their aspects, vertical and horizontal, has always been a threat to international peace and security, and perhaps the recognition by the international community of that fact is what made its members, half a century ago, sit together, with unity of purpose and nobility of vision, to conclude a group of conventions and agreements that are relative to WMD and the materials needed to produce them within a framework of treating such problems, including the issues of follow-up and monitoring.

We are conscious of the threats posed by some groups or individuals producing, developing or transporting WMD without the knowledge of their Governments. This makes us feel suspicious about the ability of the Council to deal with this subject. On the contrary, the temporary and immediate nature of the Council's work in dealing with international peace and security makes it more difficult for it to adopt a deliberate methodology and develop arrangements that are continuous and which, in our view, call for detailed consideration of the way of dealing with these new threats. Intensifying the system of existing conventions would constitute a more competent and transparent response towards these various threats.

While we appreciate the initiative of those who have presented to us, for first time, an opportunity to debate in such a broad forum the draft resolution which is being considered by the members of the Council, we hope that Council members will take the following observations of my delegation into consideration — all the more so because the Council is about to adopt a resolution which calls on Member States to implement a number of measures in conformity with the provisions of Chapter VII of the Charter.

First, the draft resolution before us should determine clearly the relation between the Security Council and its proposed committee and the existing system of conventions and whether the committee is proposed for the current stage or for the future because the Council has been established to deal with problems of this nature. The existing conventions and agreements, despite the extensive consultations it took to draft them, have proven their ability and continuity and have achieved international consensus. Therefore, consideration by the Council of this issue should be on a temporary basis and for a specific, limited time until an internationally ratified agreement can be concluded, which might lead to an expansion or improvement of the other existing conventions.

Secondly, it could be a suitable opportunity, when dealing with the issues to combat the spread of weapons of mass destruction, to re-emphasize proposals for zones free of weapons of mass destruction in various regions of the world, especially in the Middle East.

Thirdly, the proposal to establish a new Security Council committee to combat the proliferation of weapons of mass destruction requires further clarification, not only with respect to the mandate and duration of such a committee but also with respect to its functions and their relationship with the Security Council Committee established pursuant to resolution 1373 (2001) and the Security Council Committee established pursuant to resolution 1267 (1999). Clarification is needed also with respect to the appointment of experts and their areas of specialization.

Fourthly, it may be useful to recall that many Member States will need technical, material or logistical support to comply with the draft resolution.

Here, let me mention danger that might arise from recourse to Chapter VII of the Charter with respect to problems that are known to be beyond the control of Member States.

Fifthly, with reference to the respective legal systems of Member States, control of borders and exit points and internal import-export controls, any measures adopted must result in cooperation, not in accusations. They must thus not be formulated in a hurried way. We were surprised to hear that the sponsors would like to put the draft resolution to the vote before the end of this month.

We note a growing trend towards granting the Security Council additional legislative powers. Here, we wish to make it very clear that membership of the United Nations and the common desire to strengthen its role places a number of responsibilities on our shoulders in conformity with the provisions of the Charter as drafted by the founding Members. Thus, in defining the role of the Security Council in terms of the maintenance of international peace and security and of guaranteeing compliance by Member States with international law, the Charter does not give the Council legislative authority; it gives it the authority to safeguard the Charter and to monitor compliance with its provisions. If in the present case that is what is required, it should be emphasized in the text.

The President: I now give the floor to the representative of Malaysia.

Mr. Rastam (Malaysia): Mr. President, I should like to thank you, on behalf on the Non-Aligned Movement (NAM), for convening this open debate on a question that is very important to all States Members of the United Nations and to the international community at large. The position of NAM on the question of the acquisition of weapons of mass destruction (WMD) and their means of delivery by non-State actors, in particular terrorists, is encapsulated in paragraph 100 of the Final Document of the thirteenth Conference of Heads of State or Government of NAM, held in Kuala Lumpur in February 2003. That paragraph reads as follows:

> "The Heads of State or Government expressed their satisfaction with the consensus among States on measures to prevent terrorists from acquiring WMD. They welcomed the adoption by consensus of General Assembly resolution 57/83 entitled, 'Measures to prevent terrorists from acquiring weapons of mass destruction', and underlined the need for this threat to humanity to be addressed within the United Nations framework and through international law. While stressing that the most effective way of preventing terrorists from acquiring weapons of mass destruction is through the total elimination of such weapons, they emphasized that progress was urgently needed in the area of disarmament and non-proliferation in order to help maintain international peace and security and to contribute to global efforts against terrorism. They called upon all member States to support international efforts to prevent terrorists from acquiring weapons of mass destruction and their means of delivery. They also urged all member States to take and strengthen national measures, as appropriate, to prevent terrorists from acquiring weapons of mass destruction, their means of delivery and materials and technologies related to their manufacture."

It is clear from that statement that the NAM member countries welcome international efforts to prevent terrorists and other non-State actors from acquiring weapons of mass destruction and their means of delivery. The draft resolution currently under discussion in the Council is one of those efforts. While we do not dispute its intent, we still have questions, doubts and our own views and comments regarding its content.

I should like to convey the sincere appreciation of NAM to the sponsors of the draft resolution for their initiative as well as for their preparedness to engage the larger membership of the United Nations in consultations on this very important question, not just confining discussion to members of the Security Council. We found the informal consultations between NAM members and the sponsors held on 6 April to be a very useful effort. We would welcome further consultations on this issue before the Council takes a decision on it. We would also welcome consultations between Council members and NAM on other issues of global concern and interest in the future, in the spirit of promoting dialogue, transparency and accountability in the work of the Security Council.

The Non-Aligned Movement sincerely hopes that the sponsors and other Council members will continue to take into consideration the views and concerns expressed by NAM member countries. We believe that it is important to ensure that the final product is

realistic, generally acceptable and implementable. After all, in this regard, Governments, national legislatures and, for that matter, the private sector in all Member countries are expected to cooperate and take appropriate measures, including the enactment of new legislation and the streamlining or amending of existing legislation where applicable. The Council must give ample time and opportunity for Governments to cooperate fully in ensuring the implementation of the draft resolution.

While fully recognizing the importance and urgency of dealing with the issue of the threat of the use of WMD by non-State actors, NAM also feels that the manner in which the international community responds to this threat should be equally important. Therefore, we would counsel the need for further consultations and would request that the Security Council not rush into making a decision.

I now wish to highlight some specific points. First, the Non-Aligned Movement firmly believes that non-proliferation should be addressed together with disarmament and the continued possession of weapons of mass destruction of any type, which is in fact a threat to international peace and security. That should be adequately reflected in the draft resolution, not only in the preambular section but also in other parts, to provide the necessary balance. There could also be references to the establishment of a zone free of weapons of mass destruction in the Middle East, in line with relevant resolutions already adopted by the Council.

Secondly, NAM hopes that the definition of terms could be made clearer, such as, but not confined to "means of delivery" and "related materials". There may be other important terms identified as appropriate that require defining. A clearer definition of terms could help avoid unnecessary difficulty for Member States in implementing the provisions of the draft resolution once it is adopted.

Thirdly, lack of clarity and vague definitions could result in time-consuming and painstaking interpretation at the national level, especially when legislation and national action are required.

Fourthly, the text of the draft resolution should conform to Article 25 of the Charter of the United Nations. While NAM agrees that preventing non-State actors from acquiring weapons of mass destruction is an issue of paramount importance and is in keeping with efforts to address threats to international peace and security, NAM believes that this objective can still be achieved without resorting to Chapter VII of the Charter.

Fifthly, in view of the importance of all provisions stipulated in the draft resolution, the proposed follow-up mechanism to monitor the implementation of the resolution should be provided with a clearly-defined mandate and terms of reference, including a time frame.

Finally, we are of the view that the substance of the resolution, once adopted by the Council, should form a useful basis for Member States of the United Nations to consider formulating in due course a comprehensive, multilaterally-negotiated legal instrument to address the specific question of preventing the acquisition of WMD by non-State actors in all its aspects.

The Non-Aligned Movement is convinced that the draft resolution could, as intended, help to fill the lacunae currently existing in international non-proliferation regimes concerning the actions of non-State actors relating to WMD. We urge the Security Council to take into consideration our concerns in view of the far-reaching and wide-ranging implications of the decision the Council proposes to take.

The President: I now call on the representative of Mexico.

Mr. Berruga (Mexico) (*spoke in Spanish*): My delegation wishes to underscore the importance and the relevance of this public debate, as the participation of the entire international community is fundamentally important to the maintenance and strengthening of international peace and security.

Mexico notes that the draft resolution seeks to remedy lacunae existing in the existing apparatus of multilateral legal instruments on disarmament and non-proliferation of weapons of mass destruction (WMD). At the same time, it stresses the need to find a way to address the threat inherent in the possibility of non-State actors, particularly terrorist groups, acquiring such weapons.

Given the eagerness to generate a broad consensus, we hope that the sponsors will receive positively the comments made in this open debate, as well as the various proposals for amendment and strengthening that have been presented in connection with the draft resolution.

There must be no doubt about the urgent need to take effective measures to tackle actors not covered by the instruments we have at present.

Mexico believes that it is a matter of grave concern to humankind that extremist groups might gain access to nuclear, chemical or biological weapons. We have recently witnessed, with sadness, that terrorist groups have attacked with increasing brutality, greater frequency and greater indiscriminateness. In that context, concerted, resolute and effective action by the international community is needed. A terrorist attack using weapons of mass destruction would seriously alter coexistence in the world and seriously jeopardize international security and stability. Until now Governments alone have been able to produce weapons of mass destruction. If a terrorist group gained access to them, it would be because the weapons had been stockpiled by a Government institution, either military or scientific. Hence the strict control of arsenals and any means of distribution to terrorist individuals or groups must be a salient priority.

Extremist groups are, by definition, beyond the control and the decision-making power of peace-loving States. Given that reality, the only effective recourse the international community has is to prevent and ensure that terrorists cannot gain access to this type of weapons. We do not have the slightest guarantee that these groups would use weapons of mass destruction for exclusively political purposes. If they have access to them, there will always be the danger that they will use them.

Undoubtedly, the best approach to dealing with the danger posed by weapons of mass destruction would be to embark on their complete elimination through multilaterally-negotiated disarmament agreements. That way, concern about proliferation among individuals, particularly terrorists, as well as among States, would be addressed.

Through the draft resolution before us, the Security Council, invoking Chapter VII of the Charter, wishes to impose on all States Members the obligation to adopt and implement effective laws to prevent non-State actors from manufacturing, acquiring, possessing, developing, transporting, transferring or using nuclear, chemical or biological weapons and their delivery systems.

The proposed approach is based on an incomplete course of action, which will not necessarily lead to the conditions that are required to achieve the desired objective. Mexico is clear about its doubts regarding the possible establishment of a committee responsible for monitoring the implementation of the draft resolution. We feel that, in defining its mandate, we need to avoid duplicating the functions of other existing bodies, particularly the Counter-Terrorism Committee, whose functions already include the elimination of the supply of all kinds of weapons to terrorists.

However, my delegation is concerned about the precedent that this draft resolution could set for the handling of other new issues on the world agenda. We are not only concerned about the proliferation of parallel regimes to those already established, using channels outside the norms of existing treaties, but also about the growing trend that the Security Council seeks to legislate, particularly with regard to issues that have their own regime of rights and obligations, even if incomplete when it comes to non-State actors. We require resolute commitments from States and, in order to achieve that, we need the wide participation and discussion of all actors.

My delegation wishes to reaffirm Mexico's commitment to the international strategy to combat terrorism. We agree with the importance of addressing all problems associated with the draft resolution before us. In that regard, we consider very appropriate the comments and amendments presented by Brazil, which contain the elements necessary to make the course of action outlined in the initiative more effective.

Finally, as we join efforts to combat terrorism, Mexico believes that we must bear in mind the challenges that my delegation has pointed out and, above all, the collegiate way in which the international community seeks to combat this scourge.

The President: I now call on the representative of Belarus.

Mr. Ivanou (Belarus) (*spoke in Russian*): The delegation of the Republic of Belarus associates itself with the statement made by the representative of Malaysia on behalf of the Non-Aligned Movement (NAM), and concurs with the points made.

Belarus generally welcomes the initiative of the sponsors of the Security Council draft resolution before us, with the major objective of eliminating the threat that weapons of mass destruction (WMD) might end up in the hands of terrorists and their accomplices. Our

country, which has voluntarily renounced possession of nuclear weapons and is an active participant in the disarmament process, is interested in stopping all attempts at the proliferation of WMD throughout the world. We reaffirm our readiness to expand cooperation with other States, within the frameworks of existing international documents and arrangements.

We hope that the efforts of the Security Council in the area of non-proliferation of WMD will not lead to a weakening of existing international disarmament and non-proliferation regimes, but will rather promote their strengthening and further development.

Belarus wishes to express the certainty that only collective action on the part of all Member States and the existence of political will can promote a solution to the severe problems connected to WMD. We consider that any new initiative aimed at resolving these problems will be met with understanding and a positive response on the part of all concerned members of the international community.

The President: I now call on the representative of Norway.

Mr. Løvald (Norway): Let me first echo other delegations in thanking you, Mr. President, for organizing this open meeting of the Security Council to consider the draft resolution on the non-proliferation of weapons of mass destruction (WMD). We appreciate that all Member States are being given an opportunity to present their views before the Council takes action on this draft resolution.

We welcome that the Security Council is addressing the dangers posed by the proliferation of weapons of mass destruction. At the same time, the General Assembly has an important role to play in all non-proliferation efforts.

I would now like to offer some views on the draft resolution. First, Norway agrees that the Security Council should adopt a resolution addressing the most pressing proliferation challenges. The proliferation of weapons of mass destruction (WMD) is a threat to international peace and security. We need the Security Council to send a clear message that taking part in the proliferation of weapons of mass destruction constitutes a serious criminal offence.

Secondly, the draft resolution places far-reaching and legally binding demands on all Member States. It is vital that all States should take the necessary steps to make sure that they can live up to their multilateral non-proliferation obligations. Those steps should cover areas such as national legislation, law enforcement, export controls, border controls and protection of sensitive materials.

Thirdly, the present draft resolution emphasizes the role and relevance of global disarmament and non-proliferation treaties. That is an element to which Norway attaches particular importance. The global treaties have set universal norms, which should be adhered to by all Member States. We call for the full universalization of, and compliance with, the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), the Chemical Weapons Convention and the Biological and Toxin Weapons Convention.

The international community must preserve the integrity and authority of the global treaties and work to further strengthen those instruments. We need credible verification mechanisms. The NPT is a cornerstone of our collective security. The upcoming Review Conference must be used to further strengthen the Treaty.

Fourthly, we agree with the draft resolution's statement that there is a need for further dialogue and cooperation on non-proliferation issues, as well as cooperative action to prevent illicit trafficking in the means of delivery of weapons of mass destruction. The Proliferation Security Initiative represents a very useful response to the new proliferation challenges. Norway is taking an active part in the Initiative. We will also continue to contribute to the Group of Eight Global Partnership, particularly in so far as the safe handling and storage of spent nuclear fuel and radioactive waste is concerned. Let me further reiterate Norway's support for the European Union's strategy to prevent the proliferation of weapons of mass destruction.

Fifthly, Norway welcomes the proposal to set up a committee tasked with making sure that the new resolution is fully implemented. Such a committee should be given enough time to do its work properly. We assume that all relevant expertise will be mobilized in that endeavour.

Non-proliferation and disarmament are two sides of the same coin. The irreversible destruction of stockpiles of WMD is the best guarantee that such weapons do not fall in the wrong hands. Norway is therefore convinced that disarmament must remain an integral component of an effective non-proliferation

strategy. That element should be duly reflected in the resolution to be adopted by the Security Council.

In concluding, Norway agrees that the Security Council should adopt a resolution that will fill critical gaps in international non-proliferation efforts. We hope the draft resolution will be adopted in a timely manner.

The President: I now give the floor to the representative of Australia.

Mr. Dauth (Australia): I have not had an opportunity yet this month to congratulate you, Mr. President, on the efficient way in which you are running the Council. I aim to help by taking rather less than the four minutes that you have allocated to us. I promise.

Australia regards the draft non-proliferation resolution as an appropriate and timely initiative to help strengthen international efforts to combat weapons of mass destruction (WMD) proliferation, including the risk of non-State actor acquisition of WMD.

As a clear threat to international peace and security, WMD proliferation falls squarely within the Security Council's mandate. We recall the Security Council's presidential statement of 31 January 1992 (S/23500), which sets out emphatically the threat posed by the proliferation of all weapons of mass destruction. It has been too long since the Council last dealt substantively with the issue of nuclear non-proliferation. It is entirely appropriate that the Council should do so now, consistent with its mandate to maintain international peace and security.

Recent proliferation cases have demonstrated the critical importance of effective domestic measures, including in particular export controls, in preventing the misuse of sensitive materials and technology at the State or sub-State level. The draft resolution responds to a clear need for Member States to strengthen their domestic controls and legislation and ensure that proliferators do not exploit legislative and enforcement loopholes.

The nuclear black market, coupled with the known terrorist interest in acquiring WMD, underscores the need for quick action from the international community in response to proliferation threats. Unless the international community acts with conviction and unity, terrorist groups could one day acquire WMD, with consequences none of us wishes to contemplate.

The obligations on Member States imposed by the draft resolution in no way conflict with rights and obligations under existing WMD-related treaties. Nor does the draft resolution impose treaty obligations on States not parties to such treaties. The draft resolution, however, does support the effective implementation of those treaties and related instruments and is entirely consistent with the aims of the established, treaty-based multilateral disarmament framework. Of course, the draft resolution does not preclude the future development of new international instruments in those areas.

Australia commends the resolution to all Council members and calls for its early and unanimous adoption.

The President: I now give the floor to the representative of Kazakhstan.

Mr. Kazykhanov (Kazakhstan): Before I start, I would like to thank you, Mr. President, for arranging this open debate on the agenda item under discussion.

My delegation has carefully studied the Security Council draft resolution on the non-proliferation of weapons of mass destruction (WMD). We view the document as an essential instrument designed to reinforce the WMD non-proliferation regime in the new international security environment.

We believe that the main objective of the draft resolution is the adoption by all States at the national level of measures to prevent non-State actors from acquiring WMD and their components. We also believe that the draft resolution to be adopted would help countries achieve that declared goal. At the same time, it is the responsibility of every State to decide for itself which specific steps it should take at the national level in order to secure its borders, sensitive military assets and scientific and research capabilities, thus eliminating any possibility of their use by terrorists.

Yet, in order to be able to fully and effectively implement the provisions of the draft resolution, many countries with extensive land and sea boundaries would require assistance in equipping their borders with modern technical means of detection of the components of WMD and their means of delivery. In our view, effective border controls and well-coordinated law enforcement efforts, including through international cooperation, constitute an important factor that contributes to the reinforcement of the WMD non-proliferation regimes.

Kazakhstan's contribution to WMD non-proliferation is widely recognized. We have voluntarily renounced our nuclear inheritance, shut down the

Semipalatinsk nuclear testing ground, acceded to the Treaty on the Non-Proliferation of Nuclear Weapons, the Comprehensive Nuclear-Test-Ban Treaty and all other regimes on the non-proliferation of WMD and their means of delivery.

We find it very timely that the draft resolution calls on States to take measures to strengthen controls on the manufacturing, storage and export of sensitive materials and technologies. Since 1992, Kazakhstan has been working to improve the efficiency of its national export control system. It has adopted an export control law and introduced a comprehensive control list of dual-use products and sensitive materials.

Kazakhstan has been actively involved in the negotiations to draft a treaty on the establishment of a nuclear-weapon-free zone in Central Asia. That initiative of the Central Asian States to establish such a zone in the region should constitute an important milestone in the efforts to strengthen the non-proliferation regime.

Weakened international control is the main reason for the existence of a threat of non-State actors getting hold of WMD. There is only one solution: to tighten controls and to increase transparency, which should become the pillars of the draft resolution under consideration.

At the same time, we should continue to improve the existing international agreements in this area in order to adapt them to the realities of today. We also believe that non-proliferation and disarmament are mutually reinforcing processes. Compliance with the draft resolution, and its implementation, will largely depend on the political will and on the joint efforts of all States. The effectiveness of the reporting mechanism hinges on this as well.

I wish to assure all members of the Council that Kazakhstan is fully aware of the risk of any irresponsible persons acquiring WMD, and that it will exert every effort to reinforce the international non-proliferation regime.

The President: I now call on the representative of the Republic of Korea.

Mr. Kim Sam-hoon (Republic of Korea): Mr. President, I join the previous speakers in congratulating you on your assumption of the presidency this month and in thanking you for convening this open debate today.

The nexus between terrorism and proliferation of weapons of mass destruction (WMD) has become one of the most pressing international security issues facing the international community today. The recent revelation of the existence of an extensive clandestine international network for the procurement of nuclear equipment and technology, and the thriving illicit trafficking of WMD related materials through this network demonstrates the real danger of WMD falling into the hands of terrorists. Yet, this emergent threat to international peace and security has not been adequately addressed by the existing WMD and non-proliferation regimes.

The Republic of Korea welcomes the initiative of the Security Council as a milestone in the efforts to close the gap between the new realities of the twenty-first century and the existing international non-proliferation regimes. While fully supporting the rationale behind the initiative and the thrust of the draft resolution, the Republic of Korea would like to share some of its observations in this regard.

We know that, as a matter of principle, the normal and most appropriate way to establish new non-proliferation obligations or to supplement the existing non-proliferation regimes, is to negotiate new treaties, or to amend the existing treaties within the framework of treaty-specific bodies. Nevertheless, given the urgency of this dire challenge and the amount of time for a negotiating process involving all Member States, it is fitting and timely for the Security Council to address important loopholes in the existing non-proliferation regimes. We must add, however, that the Security Council's legislative authority should be exercised with caution, and in exceptional circumstances.

We believe that the adoption of a new resolution will bolster and strengthen the existing export control regimes and contribute to the establishment of a universal system of export controls governing the illicit trafficking of sensitive items and technologies. We hope that the guidelines and standards being implemented under the existing export control regimes will provide useful reference for the committee to be established by the resolution in discharging its duties.

Since the new resolution would obligate all States to take domestic measures, including the adoption of national laws, the language of the draft resolution must be clear and unambiguous, to avoid any misinterpretation or discrepancy in its implementation.

We are of the view that the implementation of the resolution at the national level must be ensured through a monitoring mechanism. In order to ensure the effective implementation of the resolution, it is important to avoid any inconsistency between the duration of the monitoring mechanism and the life of the resolution itself.

In concluding, the Republic of Korea assures the Council of its unwavering support for its efforts to address the dangerous linkages between global terrorism and the proliferation of WMD.

The President: I now call on the representative of Argentina.

Mr. Mayoral (Argentina) (*spoke in Spanish*): Mr. President, allow me to begin by conveying to you the thanks of the Argentine delegation for having organized this open debate of the Security Council on the non-proliferation of weapons of mass destruction (WMD). And we wish to welcome the draft resolution on this important issue that is now before us, because it is a matter of concern which affects us all.

We note with interest the fact that the Security Council is taking wide ranging measures to strengthen its role in combating the proliferation of such weapons which are a threat to international peace and security. We take the view that the draft resolution placed before the Council for its consideration sets out to respond to the growing risk of a link between terrorism and WMD — in particular because terrorists may succeed in acquiring and using such weapons. It is plain that the challenge inherent in terrorism, as a real and new threat on the international scene, adds a new dimension to disarmament, non-proliferation and arms control.

A new dimension does not necessarily mean that there is a vacuum or a lacuna in the set of multilateral agreements on disarmament, non-proliferation and arms control. For we believe that they are clear, with regard to the responsibilities undertaken by the States parties. This new dimension should compel us to take real and innovative actions, throughout the international community, to address all situations involving the proliferation of WMD. What is involved here is ensuring that full implementation is given to all disarmament and non-proliferation instruments, working to strengthen them and make them universal. The measures contained in the draft resolution, as we see it, paves the way for this, and will give a fresh political impetus to achieving this objective.

Cooperation with the United Nations and with regional agencies is of vital importance to allow for the efficiency of international endeavours to combat terrorism and to help Member States to fulfil the obligations embodied in legal instruments and in relevant resolutions. We welcome the decision, proposed in this draft resolution, to call for all States to take the necessary measures to prevent WMD and their component parts from falling into the possession of terrorists and other non-State actors.

In this regard, we believe that since this Organization plays a primary role in the preparation of legal instruments for effective adoption and implementation, it could provide assistance to States that do not possess the appropriate legislation in implementing the resolution. Through its regional disarmament centres and with the cooperation of specialized agencies, such as the International Atomic Energy Agency and the Organization for the Prohibition of Chemical Weapons, the United Nations could help prepare legislation that could serve as a model to assist Member States in the adoption of appropriate measures.

Lastly, in our view, it is strange and contradictory that, just when we believed that the non-proliferation and disarmament regime was well on track, new and serious threats to it have emerged. Unfortunately, we remain concerned about the persistence of situations involving the risk of proliferation of weapons of mass destruction because they threaten global stability and the internal security of States.

In this millennium, renunciation of weapons of mass destruction is a top priority. Argentina's active commitment to disarmament, to the non-proliferation of weapons of mass destruction and to arms control is evidenced by our accession to all existing legal instruments and control regimes in this field. We have also established, together with our neighbour and friend, Brazil, a Brazilian-Argentine Agency for Accounting and Control of Nuclear Materials, which has been an innovative reality in this area for over a decade. In this regard, we believe it could serve as a model to be applied in other areas of the world.

For this reason, Argentina, as we have already stated, concurs with the spirit of the draft resolution, since it would establish obligations that Argentina has already assumed and implemented by means of a national commission set up for that purpose. Argentina

is one of the countries that has completed the nuclear fuel cycle. In this regard, we will continue to work tirelessly to ensure that all States renounce the nuclear option and give unequivocal guarantees that their nuclear capacity will be used solely for peaceful purposes.

Likewise, Argentina will commit itself to continue to work actively to fulfil strictly and in good faith the obligations embodied in the Treaty on the Non-Proliferation of Nuclear Weapons, the Bacteriological and Toxin Weapons Convention, the Chemical Weapons Convention and the Comprehensive Nuclear-Test-Ban Treaty. Making these disarmament and non-proliferation instruments universal is a legitimate aspiration for my country and for the entire international community, and is something that we are actively pursuing.

The President: I now give the floor to the representative of Austria.

Mr. Pfanzelter (Austria): Austria fully endorses the statement by the Irish presidency of the European Union on behalf of the Union and would like to elaborate on the following four points. First, I would like to thank the members of the Security Council, in particular the sponsors of the draft resolution, for their timely initiative to address the issues related to nuclear, biological and chemical weapons and their means of delivery. All of us must pursue every avenue to ensure that neither weapons of mass destruction (WMD) nor their means of delivery fall into the hands of non-State actors.

Secondly, Austria is pleased to note that the latest text of the draft resolution reflects in its preambular part the mutual reinforcement of non-proliferation and disarmament, although we would have preferred such a reference in the operative part. My Government considers it important to promote a transparent process of non-proliferation, disarmament and arms control that covers the whole spectrum of nuclear, biological and chemical weapons and their means of delivery. It is also of paramount importance that all States fulfil their obligations under international disarmament, non-proliferation and arms control treaties and arrangements.

Thirdly, the relationship between WMD and the increasing number and variety of their means of delivery merits particular attention. Our experience as Immediate Central Contact for the International Code of Conduct against Ballistic Missile Proliferation, a confidence-building and security-enhancing instrument to which 113 States have so far subscribed, has convinced us of the advantage of emphasizing this aspect in the draft resolution. In this regard my delegation holds the view that operative paragraph 6 (a) should refer not only to international treaties, but also to non-proliferation arrangements.

Fourthly, should the Security Council decide to establish a non-proliferation committee, Austria considers close coordination with the Security Council's Counter-Terrorism Committee, the International Atomic Energy Agency and the Organization for the Prohibition of Chemical Weapons essential to achieving the purposes of the draft resolution.

My delegation would like to thank the members of the Security Council for the transparent and inclusive process employed in addressing this important issue that directly affects each Member State.

I would also like to express our special gratitude to Ambassador Gunter Pleuger for having arranged this open debate. We are looking forward to a follow-up of this highly important process.

The President: I now give the floor to the representative of Jordan.

Mr. Al-Khasawneh (Jordan): At the outset, Mr. President, I would like to express my delegation's gratitude to you for calling for and convening this open debate. I would also like to extend my delegation's appreciation to the sponsors of the draft resolution for the consultations that they have conducted with the broader membership of the United Nations. My delegation wishes to associate itself with the position taken by the Non-Aligned Movement as expressed in the statement delivered earlier by the Permanent Representative of Malaysia on behalf of the Movement.

My country acknowledges the fact that the potential and possibility of the acquisition of weapons of mass destruction (WMD) and their related materials by non-State actors is a clear and present danger and an imminent threat to international peace and security. We realize that there is a gap in the existing treaty regime regulating the issue of non-proliferation that needs to be addressed and attended to. It is imperative to devise effective means and measures that would bring non-State actors within the ambit of the multilateral non-proliferation regime and ensure that the multilateral effort aimed at achieving non-proliferation is effectively extended to guarantee that weapons of mass

destruction and related materials does not end up in the possession of non-State actors and possibly terrorists.

In spite of our belief that the best approach we can adopt to address this matter is to exert efforts to engage in an intensive multilateral negotiation process aimed at developing an international instrument that regulates and addresses this problem, we still feel that, owing to the urgency of the threat that the current gap poses, a measured intervention by the Security Council would be both necessary and appropriate.

My country believes, however, that such a measured intervention by the Council should take into consideration the fact that the most effective and watertight measure to completely preclude the possibility of placing weapons of mass destruction and related materials into the hands of non-State actors is to achieve the long-awaited objective of total chemical, biological and nuclear disarmament.

We feel that any action taken by the Council should take that reality into consideration. Additionally, we believe that the anticipated Council action should ensure that the existing treaty regime is not in any way undermined, amended or altered by such an action. We also believe that the value, validity and binding effect of any anticipated draft resolution to be adopted by the Council on this matter will not be compromised if such a draft is not adopted under Chapter VII, since all Council resolutions are binding, in accordance with Article 25 of the United Nations Charter.

We urge the Council to make every possible effort to further clarify in the anticipated draft resolution the working dynamics for the envisaged follow-up mechanism in a manner that is realistic and effective and that takes into consideration the reality that, for States to effectively comply with the resolution's requirements, they will need significant assistance and sufficient time to do so. We also call on Council members to provide more clarity with regard to certain terms and definitions contained in the draft resolution to facilitate the task of States.

The President: I now give the floor to the representative of Lebanon.

Mr. Kronfol (Lebanon) (*spoke in Arabic*): I thank you, Mr. President, for convening this meeting, which provides States non-members of the Security Council with an opportunity to make their views known regarding the Council's efforts to adopt a universal, binding draft resolution aimed at preventing the proliferation of weapons of mass destruction (WMD) — a draft resolution that Council members will adopt after lengthy consultations to reach a consensus among its members and after taking into account the viewpoints of other United Nations Member States interested in international peace and security, such as Lebanon.

Lebanon — which, like other Arab States, shares the views expressed very clearly a short while ago by the representative of Malaysia on behalf of the Non-Aligned Movement (NAM) — wishes to emphasize that the draft resolution should take into account all the points of view expressed at this meeting so that we can achieve the total elimination of WMD and avert the threat of the proliferation of such weapons, particularly in the Middle East region.

Lebanon, like other Arab States, is a party to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) and is gravely concerned that Israel is the only State in the region that does not participate in international efforts aimed at establishing a nuclear-weapon-free zone in the Middle East, while it possesses a complete arsenal of nuclear weapons and the means of their delivery that are not subject to any form of monitoring or inspection by the international agency specializing in that area, as well as advanced chemical and biological weapons.

Lebanon would like to ensure that the draft resolution emphasizes that non-proliferation of WMD begins with strict and rigorous inspection of their manufacture and with the continuation of international disarmament efforts.

In order to make the draft resolution more precise and truly practicable, the Council should provide definitions for some of the terms used in the text, which have been referred to by many other States — including NAM member States — or use more precise terms.

Lebanon believes that the very important step to be taken by the international community in adopting a resolution based on the draft before us will prevent States from avoiding their international responsibilities to implement the relevant Security Council resolutions. We should like to pay tribute to the Council's efforts to attain that objective.

Mr. Wenaweser (Liechtenstein): Open debates of the Security Council are an important means of

enabling the Council to hear the view of other Member States and thus to truly act on their behalf, as foreseen in the Charter of the United Nations. We believe that that practice is of particular importance when the Council tackles, on an exceptional basis, issues in the area of standard-setting and lawmaking, as is the case with the subject matter before us today. We thus welcome this debate, and we hope that it will influence the shaping of the draft resolution that the Council will adopt at a later stage. Given the scope of the draft, its acceptance and effective implementation can be ensured only if the views of the wider membership are taken into account.

The proliferation of weapons of mass destruction (WMD), including to non-State actors, undoubtedly poses a very serious threat to international peace and security. The Council has already recognized this threat in the past, and its effective prevention requires a sustained common effort by the international community as a whole. It is thus our hope that the draft resolution to be adopted will prove to be a useful tool to prevent non-State actors from gaining access to such weapons, related technology and hazardous material.

In connection with the draft resolution under consideration, we wish to emphasize the following points. First, the existing regime of multilateral treaties must constitute the basis for our work in the area of non-proliferation. Full implementation, universal acceptance and, where necessary, strengthening of the existing instruments — particularly in the field of verification and monitoring — are indispensable elements of our long-term efforts to work towards the elimination of WMD.

Secondly, non-proliferation, arms control and disarmament are complementary elements of the overall comprehensive effort we must undertake to effectively tackle the threat posed by WMD. The draft resolution under consideration would therefore benefit from the inclusion of a stronger reference to disarmament.

Thirdly, it is essential to maintain the multilateral character of measures taken with respect to non-proliferation. Possible enforcement action must therefore be based on a decision taken by the Security Council. In the same spirit, we support the establishment of a monitoring committee — preferably with a clear time limit and a review mechanism — to engage in a transparent and open dialogue with the membership. Regular and interactive briefings of the chair of such a committee should constitute one important aspect of its work. Furthermore, such a committee should work to implement the resolution while taking fully into account the existing treaty obligations of States, in full cooperation with the relevant institutions, such as the International Atomic Energy Agency, the Organization for the Prohibition of Chemical Weapons and the Security Council's Counter-Terrorism Committee.

We believe that, as a rule, endeavours in the area of non-proliferation and disarmament should be the result of multilateral negotiations. Nonetheless, we believe that the draft resolution under discussion can make a valuable contribution to the crucial issue of non-proliferation if drafted in a precise and balanced manner that reflects all aspects of this complex topic. We are also of the view that the international community, while addressing with resolve the threat posed by weapons of mass destruction, must not lose sight of the fact that most of the massive and large-scale human suffering and loss of life we have witnessed in the recent past has been the result of the use of sometimes very unsophisticated and widely available weapons. We have an obligation to address this very concrete threat and sad reality with equal determination.

The President: I call on the representative of Nicaragua.

Mr. Sevilla Somoza (Nicaragua) (*spoke in Spanish*): The Nicaraguan delegation joins in the congratulations that have been conveyed to you, Sir, on your wise conduct of the presidency of the Security Council. We also thank you for having convened today's important meeting.

The proliferation of all kinds of weapons of mass destruction and their means of delivery is of ongoing concern to the international community because of the threat it represents to the very existence of humankind. That concern first arose during the First World War, in which there was massive use of mustard gas and the spread of infections through pathogenic bacteria. It was on a day like today in 1915 that the town of Ypres in France was attacked with asphyxiating gas by enemy forces. The terrible and massive use of such weapons in that war led in 1925 to the drafting of the Geneva Protocol, which prohibited the use of asphyxiating, poisonous or other gases, and of bacteriological methods of warfare.

In the early 1930s, the League of Nations attempted to achieve a complete prohibition of those

weapons of mass destruction that existed at that time, but it failed. It was only following the Second World War and the creation of the United Nations that some results were seen with the drafting of the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction, which was adopted in General Assembly resolution 2826 (XXVI) and came into force in 1975.

In 1992, after a decade of intensive negotiations, agreement was reached on the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction, which came into force on 29 April 1997. This was the first treaty adopted in the multilateral context to ban an entire category of weapons of mass destruction.

In another connection, a world non-proliferation regime was established on the basis of the 1968 Treaty on the Non-Proliferation of Nuclear Weapons, based on the safeguards system of the International Atomic Energy Agency, with the aim of preventing the diversion of nuclear materials into military and other banned activities. Likewise of great importance is the Convention on the Physical Protection of Nuclear Material of 3 March 1980, which recognizes the legitimate peaceful uses of nuclear energy by States, but charges them with the responsibility of preventing the illegal use or seizure of nuclear material.

Notwithstanding the implementation of those international conventions and other global, regional and bilateral instruments by the vast majority of Member States, transnational terrorist groups have found sophisticated means to circumvent, to a certain extent, the substance of those instruments. The instruments must be strengthened in order to prevent barbaric terrorist acts from unleashing, by means of such weaponry, catastrophes in terms of human lives lost and material damage, such as those reflected in the images recently broadcast on television of Kurds massacred in Northern Iraq by asphyxiating gas in 1988; the 1995 sarin gas attack in the Tokyo subway; or the disastrous consequences of the 11 September 2001 attack in the United States and the 11 March 2004 attack in Madrid. We must also prevent the diversion of nuclear technologies, such as has occurred between countries.

The draft resolution being discussed in the Security Council largely fulfils that purpose. The document appeals to all States to cooperate, in conformity with their national legislation and international law, in adopting measures and establishing domestic controls to prevent any form of support for non-State actors in developing, acquiring, manufacturing, possessing, transporting, transferring or using nuclear, chemical or biological weapons and their means of delivery, while establishing domestic controls over such weapons.

It also appeals to all States to cooperate among themselves, in conformity with their national legislation and international law, in preventing the illicit trafficking of nuclear, chemical or biological weapons, their delivery systems and related materials. The draft resolution further urges Member States to promote the universal adoption of, full compliance with and, where necessary, the strengthening of multilateral treaties, particularly those designed to prevent the proliferation of nuclear, biological or chemical weapons.

My delegation recognizes the need to enhance the coordination of efforts at the global, regional and bilateral levels to prevent terrorist acts, which may involve thousands of innocent victims, from recurring. To that end, we believe it necessary to intensify our response to that evil, in keeping with the provisions of the United Nations Charter, since the gravity of such acts poses a threat to humankind and to international peace and security.

The President: I give the floor to the representative of Nepal.

Mr. Sharma (Nepal): I congratulate you, Sir, on presiding over the Security Council's work this month in an excellent manner. I also appreciate the convening of this open debate on this very important issue.

My delegation associates itself with the statement made by the representative of Malaysia on behalf of the Non-Aligned Movement and wishes to add its own comments.

It is indeed welcome that the Security Council has shown serious concern about the possible proliferation of weapons of mass destruction and their means of delivery by non-State actors. The threat of such proliferation is real. Therefore, United Nations Member States have expressed their anxiety about it on many occasions in the past.

In this era of global terrorism of increasing sophistication, the international community ought to

engage in collective efforts to prevent weapons of mass destruction from falling into the wrong hands. For durable success, such efforts must be an integral part of the process of ridding the world of all weapons of mass destruction. As such, my delegation commends the stated objective of the draft resolution and applauds its sponsors for their hard work and ingenuity. However, we have a few fundamental problems that pose enormous difficulties for us.

First, the Security Council lacks competence in making treaties. We are afraid that the Council, through this draft resolution, is seeking to establish something tantamount to a treaty by its fiat. This is likely to undermine the intergovernmental treaty-making process and implementation mechanisms.

Secondly, the proposed draft resolution has no concrete measures that would bring terrorists and other non-State actors into compliance with its own provisions and those of the existing non-proliferation regime. It adds very little of value to the existing disarmament and non-proliferation regime, but it imposes tremendous new obligations on Member States, many of which might not have the necessary resources to meet them. The best way to address the issue would have been to strengthen the existing regime.

Thirdly, the opaque and exclusive decision-making process in the Council does not inspire much confidence among the wider membership of the United Nations. It deprives the majority of United Nations Member States of the opportunity to participate in negotiations leading to agreements and decisions that would have profound and wide ramifications for Member States.

Fourthly, it is completely incomprehensible to my delegation as to why the draft resolution needs to be adopted under Chapter VII of the Charter. The Council, as it appears, wants to keep the option open of using the present draft resolution to impose its will on Member States which could compromise their sovereign rights.

Fifthly, the draft resolution is riddled with ambiguities and many speakers have already highlighted that aspect. The monitoring mechanism envisaged in the draft lacks transparency and its time frame is unrealistic. It is critical that all United Nations Member States feel comfortable with the draft resolution before it comes for action to the floor of the Council. We appreciate the consultations undertaken by the sponsors of the draft resolution before us and encourage them to engage in further consultations to address all key concerns raised here today.

The Council needs the willing support of the broader membership to maintain international peace and security. To ensure such support, the Council should work within its mandate and be seen to be doing so. Therefore, it should resist the temptation of acting as a world legislature, a world administration and a world court rolled into one.

Mr. Ndekhedehe (Nigeria): I wish to join those who spoke before me in congratulating you, Sir for your presidency of the Security Council for this month. The prevalence of acts of international terrorism in recent years and the possibility of terrorist or non-State actors having access to weapons of mass destruction (WMD) have made it necessary for the United Nations to urgently initiate efforts and effective measures to address this serious problem. In this regard, the Nigerian delegation appreciates the motivation behind draft resolution on non-proliferation, which is now before the Security Council. There is, therefore, a need for urgent action.

However, it is important to note that the existence of multilateral instruments on nuclear, chemical and biological weapons, which are invariably the same weapons of mass destruction that the draft resolution is seeking to address. The main aim of the existing multilateral instruments is the total elimination of WMD, which will guarantee their inaccessibility to terrorists or non-State actors.

The Nigerian delegation shares the common view that this objective can only be achieved through commitment by all States parties to their obligations under these instruments. We believe that the threat posed by WMD is of such a serious nature that the international community should deal with it most decisively. In this regard, the international community should not merely manage the existence of such weapons, as the draft resolution seems to suggest; rather my delegation wishes to express its concern that the draft resolution has failed in making disarmament its goal but instead seeks to make non-proliferation the goal.

The apparent intention of the draft resolution is to fill any perceived gap in the existing instruments brought about by the activities of non-State actors, especially terrorist groups, in their use of WMDs. Doing so will certainly require the cooperation of all

United Nations Member States, as envisaged by the draft resolution, on whom it would eventually become binding. For this reason, it is appropriate that the views and concerns of Member States be taken into account in drafting the resolution. In this regard, the aim and spirit of the United Nations Charter concerning international peace and security will be better promoted if matters of WMD and proliferation are multilaterally negotiated, rather than imposed through Council mandates.

By invoking Chapter VII of the United Nations Charter, the draft resolution appears to express the readiness of the Security Council to apply enforcement action against Member States that may fail to comply. There are therefore far-reaching implications when Chapter VII is invoked, depending on the specific circumstances.

Finally, a draft resolution with such grave implications as the one under consideration should be temporary for greater legitimacy and accountability and contain adequate safeguards. Consequently there should be provisions for its replacement by a multilaterally negotiated instrument on the same subject on a more permanent basis.

Mr. Alimov (Tajikistan) (*spoke in Russian*): It is obvious that, despite the vigorous measures undertaken after 11 September 2001 by the international community against the far-flung network of terrorist organizations, terrorism is continuing to pose a serious threat to international peace and security. The number of terrorist attacks and the number of victims, unfortunately, is growing and the number of geographic sites where such acts are committed is increasing. There is also a serious danger that weapons of mass destruction (WMD) might fall into the hands of terrorists and non-State actors which would lead to unpredictable consequences. The delegation of Tajikistan finds extremely timely the convening of the present public meeting of the Security Council on such a problem which is so important for peace and security today.

We consider today's discussion as yet one more consistent step by the Council designed to strengthen unity and the will of the international community in combating international terrorism and the growing global black market in nuclear materials.

Tajikistan is now on the front lines of a struggle against international terrorism and is an active party to the anti-terrorist coalition within the framework of the Commonwealth of Independent States and the Collective Security Treaty. My Government is cooperating to combat terrorism, inter alia, regarding the protection of nuclear materials.

At the same time, we are seriously concerned by the fact that the remnants of the Taliban and Al Quaeda movements and other extremist forces in neighbouring Afghanistan are once again trying to make themselves known by means of stepping up their acts of sabotage.

The issue is not merely that these forces are trying, once again, to plunge a country which is emerging from under the ashes of a 20-year-long civil war back into a climate of chaos, strife and inter-ethnic enmity, although that, in itself is dangerous. Rather, what is a much more serious danger is that a process is taking place whereby these dark forces are uniting with drug cartels acting as a form of creditor/bank/network of terrorist organizations which is concocting plans to acquire weapons of mass destruction here.

The adoption by the Security Council of the relevant resolution will make it possible, in our view, to strengthen, where necessary, the mechanism of strict export controls and to ensure full security for secret materials in the area of weapons of mass destruction.

It is important that the draft resolution not undermine or replace existing international non-proliferation and disarmament treaties and that it explicitly state that it is not changing the Treaty on the Non-Proliferation of Nuclear Weapons, the Chemical Weapons Convention or the Biological and Toxin Weapons Convention. As a party to those international treaties, we will expand our cooperation with other States parties and with the International Atomic Energy Agency.

Tajikistan supports the adoption of the draft Security Council resolution on this issue. We believe that its implementation would enhance the effectiveness of the coordination of efforts on all levels. It would be one further element of a unified response to today's challenges and threats to international peace and security.

The President: I now give the floor to the representative of Albania.

Mr. Dilja (Albania): At the outset let me reiterate that, as stated by Ambassador Ryan of Ireland, Albania fully associates itself with the statement he made on

behalf of the European Union. I shall therefore make only a few brief comments on the item before the Council.

Allow me to express my delegation's appreciation to you, Mr. President, for convening this open debate, which gives non-members of the Security Council the opportunity to express our views on the very important issue of a draft resolution on non-proliferation of weapons of mass destruction (WMD).

Every one of us, and all our countries, together have the obligation to make the world a better and a safer place. Particularly today, when terrorism is seriously threatening to use a variety of means against every country and every people in the world, we have the duty of collective mobilization and vigorous action to fight it, with clear goals and positive results. We consider the draft resolution under consideration to be the right step and a further measure in that direction.

Unfortunately, no region, no country, no nation and no border is immune from terrorism in a broader sense or, in particular, from the barbarous danger of the proliferation of WMD and their delivery systems. The prospect of weapons of mass destruction falling into the hands of terrorists or other non-State actors is a growing and paramount threat to international peace and security. The threat is real. It is thus a challenge that we must address collectively and resolutely. The events of 11 September 2001 and other horrible terrorist acts in other cities of the world have taught us the lesson that those who would direct attacks against innocent civilians with conventional weapons should be assumed to be equally willing to commit atrocities with weapons of mass destruction. That prospect convinces us all that this problem must be addressed every day, on every front, in an effective and collective way. The sooner we take preventive measures, the sooner we take action, the better.

We recognize the draft resolution on this issue as an entirely appropriate measure to counter that threat, a threat we all agree is very serious. We recognize it as an appeal to every State to prevent the proliferation of weapons of mass destruction. We consider the draft resolution to be a necessary and important document which complements but does not undermine existing multilateral treaties and conventions and which calls on States to renew their commitment to multilateral cooperation in the framework of the International Atomic Energy Agency (IAEA) and other international bodies. We think it will provide an additional useful tool for all States members of the international community to combat this new dimension of the threat posed by weapons of mass destruction.

Albania welcomes and supports the draft resolution and will remain committed, as required, to developing and maintaining any appropriate effective measures and to adopting and enforcing any appropriate effective laws to help prevent the proliferation of nuclear, chemical or biological weapons and their means of delivery.

Our delegation appreciates the fact that this draft resolution is already sponsored by a number of permanent and non-permanent members of the Security Council. We would like, in conclusion, to commend the Council and the sponsors of the draft resolution, and to echo the confidence expressed by other speakers that the draft resolution will ultimately enjoy widespread support.

The President: I now give the floor to the representative of Namibia.

Mr. Andjaba (Namibia): Since this is the first time I am taking the floor in the Security Council this month, allow me, Sir, to extend my congratulations to you on your assumption of the presidency of the Council for the month of April. Similar sentiments are also extended to your predecessor for the excellent manner in which he guided the work of the Council last month. Let me also associate myself with the statement made by the Permanent Representative of Malaysia on behalf of the Movement of Non-Aligned Countries.

Namibia, like other countries, shares the global and legitimate concern about the fear that non-State actors could acquire weapons of mass destruction and related technology. In today's world characterized by international terrorism, it is increasingly obvious that possession of these weapons is a threat to international peace and security. So long as such weapons exist, some will always aspire to have them. The only effective means of preventing non-State actors from acquiring weapons of mass destruction, including nuclear weapons, is the complete elimination of such weapons and the assurance that they will never be produced again.

The problem is that those States that have such weapons are unwilling to eliminate them. Instead, they are preoccupied with preventing others from acquiring them. At the same time, they continue to modernize their weapons, in the name of national security. If all States parties to the Nuclear Non-Proliferation Treaty,

the Chemical Weapons Convention and the Biological and Toxin Weapons Convention had faithfully implemented their commitments under those instruments, the world would have been rid of the most dangerous weapons and technology that exist. The security that all of us are entitled to can be achieved only by our meeting our commitments assumed under those multilateral treaties and related agreements.

The non-proliferation of weapons of mass destruction is a universal concern, requiring the engagement of the whole membership of the United Nations. Under the current international law regime, which recognizes the sovereignty of States, the affected States should take part in the negotiation of any measure that seeks to impose obligations over and above existing treaties and conventions. That is why my delegation believes that the issue we are discussing here today belongs in the General Assembly, whose membership will be required by the terms of this draft resolution to at least align their national laws with it if these measures are to be implemented effectively.

Namibia recognizes that there are gaps in the existing multilateral legal instruments which need to be filled. However, such gaps can be filled by multilateral negotiated instruments and should not be filled by Council measures, which are unbalanced and selective, as they represent only the views of those who drafted them.

We hope that the measures envisaged in the draft resolution will be temporary, to be replaced later on by a legal negotiated instrument.

The President: I call next on the representative of Kuwait.

Ms. Al-Mulla (Kuwait): While my delegation associates itself with the statement made by Malaysia on behalf of the Non-Aligned Movement (NAM) countries, it also welcomes and lends its moral and political support to the draft resolution. We would like to highlight the following points.

It is of the utmost importance that we continue to strengthen multilateral institutions and fully implement international treaties dealing with issues of disarmament and non-proliferation, which we consider mutually reinforcing processes. All Security Council resolutions are legally binding on Member States, in accordance with Article 25 of the Charter. We agree that a gap exists within the international treaty regime, which does not address the nexus between weapons of mass destruction and non-State actors.

This draft resolution could be an interim solution until that gap is addressed fully at a later stage. We also believe that the nature of this draft resolution, as well as possible future actions, should be based on a broad consensus in the international community. It is well known that we have our own regional concerns on this issue, but we stress that other regions have responsibilities and obligations with regard to non-State actors and weapons of mass destruction. This issue is a collective responsibility that requires cooperation and commitment by one and all.

Lastly, Kuwait will cooperate fully in the implementation of this draft resolution once it is adopted.

The President: I call on the representative of Thailand.

Mrs. Laohaphan (Thailand): Thailand commends the Security Council for convening today's open debate, which combines two security issues of grave concern in our time — proliferation of weapons of mass destruction (WMD) and the risk that they may fall into the hands of non-State actors, particularly terrorists, who will use them indiscriminately to the detriment of civilians.

As a member of the Non-Aligned Movement (NAM), Thailand associates itself with the statement delivered earlier by the Permanent Representative of Malaysia, and wishes to add additional comments of its own. In recent years, the world has witnessed a surge in terrorist attacks, and no State can afford to remain placid. The possibility of terrorists wreaking havoc through the indiscriminate use of weapons of mass destruction is no longer a far-fetched scenario. As the world continues to wage war against terrorism on all fronts, it is vital to step up international efforts to address the proliferation of weapons of mass destruction, their delivery means and related materials and to prevent them from falling into the hands of terrorists.

The draft resolution on WMD under scrutiny in the Council will help bridge the gap in international law pertaining to non-State actors in a timely manner. However, as long as WMD continue to exist, this draft resolution can only partially counter the threat posed by these weapons to international peace and security.

Thailand continues to stress the importance of reinforced compliance and verification of key international WMD non-proliferation treaties and conventions, particularly the Treaty on the Non-proliferation of Nuclear Weapons, the Comprehensive Nuclear-Test-Ban Treaty, the Chemical Weapons Convention and the Biological Weapons Convention.

We are also of the view that progress is urgently needed in the area of disarmament. In order to contain and completely safeguard the world from the risk associated with WMD, non-proliferation and disarmament must go hand-in-hand. With regard to specific provisions of the draft resolution, Thailand welcomes the establishment of a committee to report on the implementation of the draft resolution, as provided for in operative paragraph nine, and notes with appreciation that the Council also recognizes under operative paragraph five that some States may require assistance in implementing the resolution. However, we think that the timeframe of implementation of 90 days is rather an arduous task and gives rise to difficulties in practice. It would also be helpful if the draft resolution would spell out in clear terms and in greater detail the scope of obligations required of Member States.

The President: I have no more speakers on my list. The Security Council has thus concluded the deliberation of this item at this stage.

The meeting rose at 4.50 p.m.